

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	No. CR 15-4268 JB
	)	No. CR 16-1613 JB
vs.	)	
	)	
ANTHONY RAY BACA, a.k.a. "Pup,"	)	
SERGIO LOYA RODRIGUEZ, a.k.a.	)	
"Churro,"	)	
MANUEL BENITO, a.k.a. "Panther,"	)	
VINCENT GARDUÑO, a.k.a. "Fatal,"	)	
	)	
Defendants.	)	

**UNITED STATES' UNOPPOSED MOTION TO EXCEED THE 24-PAGE LIMIT FOR ITS RESPONSE IN OPPOSITION TO THE SEALED MOTIONS TO DISCLOSE THE IDENTITIES OF CONFIDENTIAL INFORMANTS BY DEFENDANTS SERGIO LOYA RODRIGUEZ [No. CR 16-1613, Doc. 295], DEFENDANT MANUEL BENITO [No. CR 16-1613, Doc. 290], DEFENDANT ANTHONY RAY BACA [No. CR 15-4268, Doc. 829; No. CR 16-1613, Doc. 298], AND DEFENDANT VINCENT GARDUNO**

The United States of America moves the Court to extend the 24-page limit for its response to the Sealed Motions to Disclose the Identities of Confidential Informants by Defendants Sergio Loya Rodriguez [No. Cr 16-1613, Doc. 295], Defendant Manuel Benito [No. Cr 16-1613, Doc. 290], Defendant Anthony Ray Baca [No. Cr 15-4268, Doc. 829; No. Cr 16-1613, Doc. 298], and Defendant Vincent Garduno, under the United States District Court for the District of New Mexico's Local Criminal Rule 47.9. The United States, under D.N.M.LR-Cr. 47.1, contacted Defendants Sergio Loya Rodriguez, Manuel Benito, Anthony Ray Baca and Vincent Garduno's counsel; they do not oppose. Additionally, Counsel for co-Defendants do not oppose this motion.<sup>1</sup>

The United States requests the Court's leave to file its response in excess of the 24-page

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<sup>1</sup> The United States sent an email asking all counsel to respond with opposition by noon, January 23, 2017, or the United States would assume there was no opposition. Counsel either responded that they did not oppose this extension, or did not respond.

limit, because of the complexity of the case, and because, for several confidential informants, the United States needs to address the analysis concerning disclosure the identity of confidential informants under the Government's informant privilege that the United States Supreme Court articulated in Roviaro v. United States, 353 U.S. 53 (1957).

**WHEREFORE**, for the foregoing reasons, the United States of America respectfully requests that this Court grant the United States' unopposed motion for the Court's leave to file its response to the Sealed Motions to Disclose the Identities of Confidential Informants by Defendants Sergio Loya Rodriguez [No. Cr 16-1613, Doc. 295], Defendant Manuel Benito [No. Cr 16-1613, Doc. 290], Defendant Anthony Ray Baca [No. Cr 15-4268, Doc. 829; No. Cr 16-1613, Doc. 298], and Defendant Vincent Garduno, in excess of the 24-page limit set by Local Criminal Rules.

Respectfully Submitted,

DAMON P. MARTINEZ  
United States Attorney

**Electronically filed on 2/3/17**  
MARIA Y. ARMIJO  
RANDY M. CASTELLANO  
MATTHEW M. BECK  
Assistant United States Attorneys  
555 S. Telshor Blvd., Suite 300  
Las Cruces, NM 88011  
(575) 522-2304 – Tel.

I HEREBY CERTIFY that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send electronic notification to defense counsel of record on this date.

/s/\_\_\_\_\_  
MATTHEW M. BECK  
Assistant United States Attorney